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UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re:

CHARLES F. SCIOSCIA,

Case No. 15-\_\_\_\_\_  
Chapter 11

Debtor.

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**DECLARATION OF CHARLES F. SCIOSCIA**  
**PURSUANT TO LOCAL BANKRUPTCY RULE 1007-2**

STATE OF NEW YORK                    )  
  : ss.  
COUNTY OF WESTCHESTER        )

Pursuant to 28 U.S.C. § 1746, I, Charles F. Scioscia, declare, under penalty of perjury, as follows:

1. I am the Debtor in the above-referenced Chapter 11 bankruptcy case.
2. I submit this Declaration pursuant to Rule 1007-2 of the Local Rules for the United States Bankruptcy Court for the Southern District of New York (the “Local Rules”).

**Local Rule 1007-2(a)(1)**

3. I am an individual and a physician practicing as a physiatrist certified in the areas of physical medicine and rehabilitation by the American Board of Physical Medicine and Rehabilitation. In that capacity, I practice regularly at St. Joseph’s Hospital Health Center in Syracuse, New York.

4. My bankruptcy filing was precipitated by my having incurred State and Federal tax obligations which will require more time to cure than the involved taxing authorities will permit outside of bankruptcy. I seek to pay off these obligations over a period of up to 60 months, pursuant to 11 U.S.C. §§ 1129(a)(9)(c) and (d).

5. Additionally, as a part of a prior completed Chapter 13 bankruptcy case which I filed in this District, In re: Charles Scioscia and Elizabeth Galletta, B.K. No. 08-23128-RDD, through the Loss Mitigation Program, the payment terms of my first mortgage with PHH Mortgage Corporation (“PHH”) were modified. Unfortunately, for reasons unknown to me, PHH has refused to allow me to pay that mortgage in accordance with the previously agreed loan modification. I seek to again use the Loss Mitigation Program to reinstate that prior agreement, with modifications to account for additional arrears which have been incurred since PHH refused to accept my payments.

6. I intend to use the Chapter 11 proceeding to give me the opportunity to pay my debts over a period of time.

**Local Rule 1007-2(a)(2)**

7. This case was not originally commenced under Chapter 7 or 13 of the Bankruptcy Code.

**Local Rule 1007-2(a)(3)**

8. No creditors’ committee was organized prior to the order for relief in this Chapter 11 case.

**Local Rule 1007-2(a)(4)**

9. A list of the names and addresses of the Debtor's 20 largest unsecured claims, excluding creditors who are "insiders" as that term is defined in 11 U.S.C. Section 103(31) are included in the documents filed herewith and are incorporated herein by reference.

**Local Rule 1007-2(a)(5)**

10. A list of the names and addresses of the Debtor's five largest secured creditors, the amounts of their claims and a description and estimate of the value of the collateral securing the claims are included in the documents filed herewith and are incorporated herein by reference.

**Local Rule 1007-2(a)(6)**

11. A summary of the Debtor's assets and liabilities are included in the documents filed herewith and are incorporated by reference.

**Local Rule 1007-2(a)(7)**

12. Not applicable.

**Local Rule 1007-2(a)(8)**

13. None of the Debtor's property is in the possession of any custodians, public officer, mortgagee, pledgee, assignee of rents, or secured creditor, or any agent for such entity.

**Local Rule 1007-2(a)(9)**

14. Not applicable.

**Local Rule 1007-2(a)(10)**

15. The principal location of the Debtor's assets are my residence at 15 Hopke Avenue Hastings on Hudson, New York 10706.

16. The Debtor's books and records are located at 15 Hopke Avenue Hastings on Hudson, New York 10706.

**Local Rule 1007-2(a)(11)**

17. There are no actions and proceedings currently pending against the Debtor.

**Local Rule 1007-2(a)(12)**

18. Not applicable.

**Local Rule 1007-2(b)( 1)**

19. Not applicable.

**Local Rule 1007-2(b)(2)**

20. I intend to continue to practice as a physician and estimate that my net monthly income from that practice will be approximately \$29,500.00 per month.

**Local Rule 1007-2(b)(3)**

21. A schedule of my anticipated monthly household income and expenses is being filed herewith as Exhibit A to this Declaration.

**CONCLUSION**

I declare under the penalty of perjury that the foregoing is true and correct.

Dated: Hastings on Hudson, New York  
December 7, 2015

\_\_\_\_\_  
/s/ Charles F. Scioscia  
Charles F. Scioscia

# **EXHIBIT A**

In re: Charles Scioscia

Case No. 15-\_\_\_\_\_

**Projected Monthly Income and Expenses**

	Total
<b>Income</b>	
Debtor's Net Income from Operation of Business	\$29,521.09
Wife's Take Home Pay	\$4,659.77
Sons' Take Home Pay	\$511.11
<b>Total Income</b>	<b>\$34,691.97</b>
<b>Expenses</b>	
First Mortgage	\$4,386.28
Second Mortgage	\$1,239.00
Home Maintenance	\$500.00
Electricity, Heat & Natural Gas	\$466.41
Water, Sewer & Garbage	\$78.46
Verizon Internet, Cable & Phone	\$218.37
AT&T Cell Phone	\$449.00
Food & Housekeeping Supplies	\$1,655.00
Childcare & Children's Education Costs	\$1,104.16
Clothing, Laundry & Dry Cleaning	\$244.00
Personal Care Products & Services	\$70.00
Medical and Dental Expenses	\$1,521.51
Transportation	\$1,774.85
Entertainment	\$400.00
Charitable Contributions	\$125.00
Life Insurance	\$865.92
Vehicle Insurance	\$319.13
Personal Umbrella Liability Insurance	\$33.09
Disability Insurance	\$436.35
Life Insurance Loan Repayment	\$300.00
Estimated Tax Payments	\$12,000.00
Student Support	\$1,920.49
Miscellaneous & Contingency	\$300.00
Gym Membership	\$19.95
YMCA Membership	\$35.00
EZ Pass	\$164.50
Transportation Expenses Not Categorized Elsewhere	\$73.55
Wife's Travel Expenses	\$68.41
<b>Total Expenses</b>	<b>\$30,768.43</b>
<b>Monthly Net Income</b>	<b>\$3,923.54</b>